

**GREENWOOD COMMON COUNCIL**

**ORDINANCE NO. 22-16**

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY  
REFERENCE IN UNIFIED DEVELOPMENT ORDINANCE NO. 20-29 (PROPOSED  
REZONING OF APPROXIMATELY 1.074 ACRES LOCATED AT 195 N. EMERSON  
AVENUE (195 South Emerson LLC Property))**

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter, "Commission") conducted a public hearing on the petition for the rezoning of approximately 1.074 acres of land located at 195 N. Emerson Avenue, within the corporate boundaries of the City of Greenwood, from the current zoning classification of IL – Industrial Large Format to CM- Commercial Medium Format, to accommodate future commercial/retail uses;

WHEREAS, the Commission requested, and the Owners agreed to, the following commitments regarding the use and development of said real estate:

1. Ingress/Egress easement on southeast corner shall either be partially vacated or must be addressed in site plan.
2. Sidewalk shall be installed along the entire southern border of Lot 2, connecting to the existing path on Emerson Avenue.
3. Sidewalk shall connect the building entrance to the future path along South Park Boulevard.
4. Any infrastructure improvements will be performed in accordance with the Technical Review Committee.
5. Any traffic and access concerns identified by engineering will be addressed.
6. Landscaping and Buffering of the site shall comply with the following requirements unless a waiver is approved:

A. Applicability

The standards of this section shall apply to new development and expansions greater than 20%, as described below:

1. Expansion of a structure or use beyond 20% requires that the entire site must be compliant with the standards herein;
2. If the expansion is less than 20%, then only the expanded part of the use, building or site must be compliant with these standards; and
3. If only the site, and not the use or building, is expanded by more than 20%, then only the site must be compliant with these standards.

B. Enforcement

Failure to implement the approved landscape plan shall constitute a violation of the Greenwood Unified Development Ordinance.

C. Maintenance

All landscaping shall be maintained in accordance with the approved landscape plan with landscaped areas maintained with plantings in good health, and free of refuse or debris.

D. Vegetation

All proposed plant material shall be:

1. Included on the Greenwood Planting Guide kept on file at the Department of Planning and Buildings, as approved by the Plan Commission;
2. All plants must be non-invasive species;
3. Not more than 30% of any single plant genus; and
4. Living, disease free, undamaged, and free of material defects.

E. Mature Tree and Plant Conservation

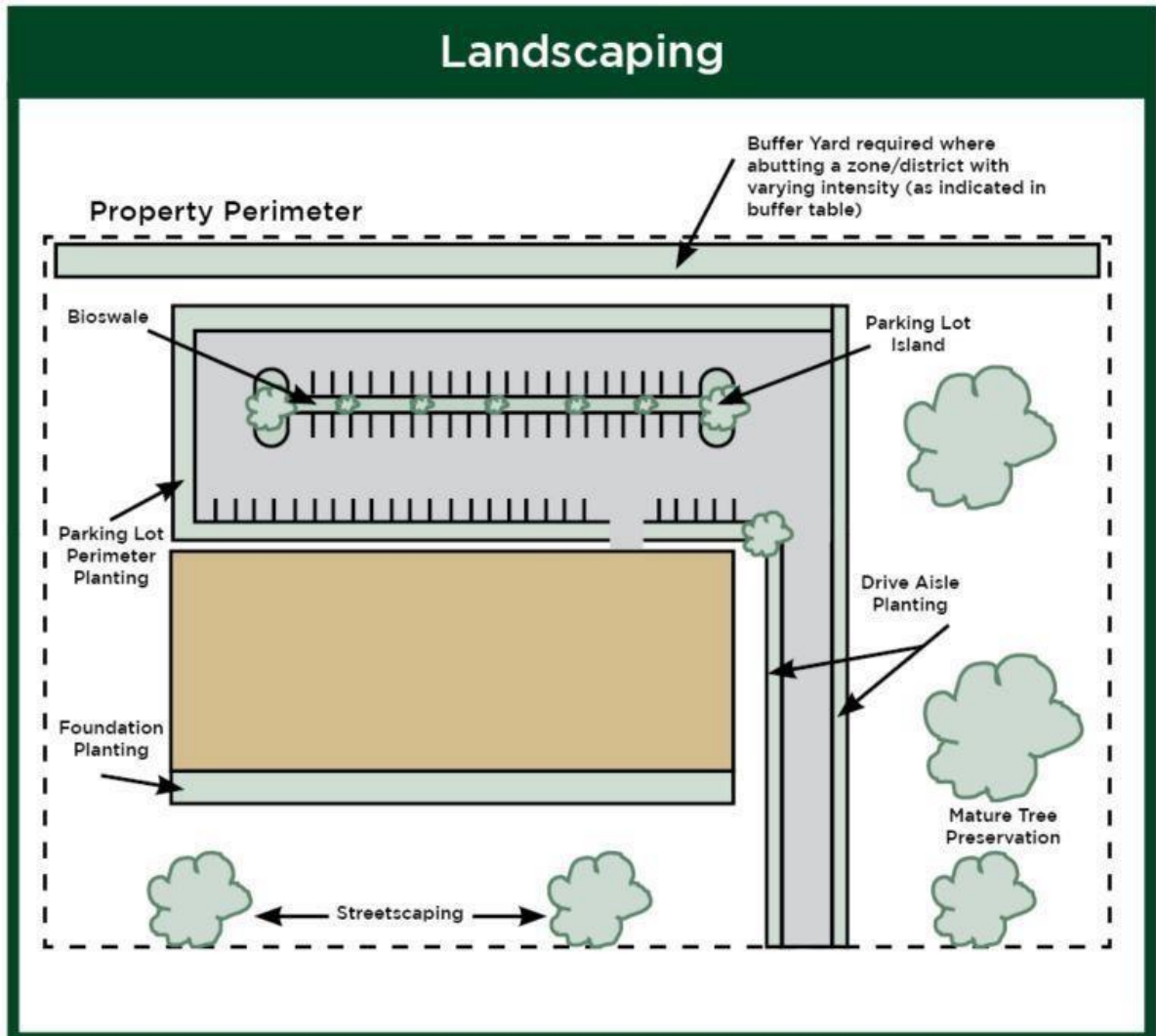
The preservation of plants and trees that exist on a site shall count toward the requirements of this Ordinance, provided that:

1. Existing preserved trees must be greater than 6 inches in caliper measured diameter;
2. Existing vegetation is clearly indicated on the landscaping plan;
3. Existing vegetation is not an invasive species; and
4. Existing vegetation is in good health or can reasonably be brought into good health.

F. Types of Landscaping

The following types of landscaping described in this section are illustrated in the graphic below.

1. Mature Tree Preservation
2. Foundation Planting
3. Parking Lot Perimeter Planting, Parking Lot Islands, Drive Aisle Planting
4. Streetscaping
5. Buffering



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G. Foundation Plantings

Foundation landscaping shall be provided as per the property groupings listed below:

Standard	Single-family residential properties and duplexes	Multi-family properties	Commercial properties under 25,000 sf of GFA and institutional properties	Industrial Properties, and any commercial property over 25,000 sf of GFA
Front Yard Landscaping	Planting strip with minimum width of three (3) feet along the full length of the foundation facing a street.	Planting strip with minimum width of five (5) feet along the full length of the foundation facing a street.	Planting strip with minimum width of 10 feet along the full-length of the foundation facing a street.*	Planting strip with minimum width of 15 feet along the full length of the foundation facing a street.*
Type of Planting	Shrubs, flowers, plants, or long grasses at the recommended spacing by plant type. Spacing distance for plantings may not be greater than the recommended spacing by plant type.	Shrubs, flowers, long grasses, shade or evergreen trees at the recommended spacing by plant type. Spacing distance for plantings may not be greater than the recommended spacing by plant type.	Shrubs, flowers, long grasses, shade/ evergreen trees at the recommended spacing by plant type. Spacing distance for plantings may not be greater than the recommended spacing by plant type.	Shade, ornamental and/or evergreen trees are required at one (1) per 40 feet of linear foundation length facing the front street. Shrubs, grasses, and flowers may be interspersed at the recommended spacing by plant type. Spacing distance for plantings may not be greater than the recommended spacing by plant type.
	*If a decorative masonry wall is erected, the planting strip may be decreased to four (4) feet in width.			

H. Streetscaping

Street trees shall be planted at a rate of one tree per 40 linear feet of frontage. Trees shall be planted in the front yard no closer than three feet from the curb or edge of the right-of-way, or if there is a sidewalk then three feet on the sidewalk opposite the street, as the case may be. Tree plantings shall not be placed in the visibility triangle located at an intersection. Street trees may be spaced 30-60 feet apart depending on site conditions provided the spacing averages to one tree per 40 feet of curb line adjacent to the subject properties.

I. Buffering

A landscaped buffer shall be required where districts and zones abut to mitigate the impact of adjacent uses that vary in intensity. Buffer yards shall be categorized as Small, Medium, or Large; the standards for each buffer yard are listed in the table below.

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Buffer Yards	Small	Medium	Large
Width (min)	20’*	30’	40’
Canopy or Evergreen Trees (min per 100’)	3	4	5
Ornamental Trees (min per 100’)	2	3	4
Shrubs (min per 100’)	10	15	20
*Where a residential subdivision is being established, a perimeter buffer yard 20 feet in width must be planted along all main thoroughfares which abut the subdivision, irrespective of whether front, side or rear yards abut the main thoroughfare, and provide access to the subdivision. All such buffers shall be located within common areas and not on an individual lot or lots.			
Trees shall be prorated and rounded up to the nearest whole number for every foot over the initial 100 feet of contiguous boundary with the conflicting district, zone or use.			
Undulating mounds or berms maybe substituted for a perimeter buffer yards. Mounds or berms shall be a minimum height of six (6) feet, a minimum crown width of two (2) feet, and a side slope not greater than three (3) feet horizontal to one (1) foot vertical. Mounds or berms shall be planted and covered with live vegetation. One tree must be planted on the berm for every 40 feet in length.			
For the Medium and Large buffer yards, the erection of a high-quality fence made of wood or masonry six (6) feet in height shall reduce the required buffer yard by 10 feet.			
Buffers shall be located along the outer perimeter of the lot, parallel to and extending along 100% of the shared lot lines, except the lot line abutting the right-of-way.			
If the difference in GFA between a minor commercial use and a major commercial use is less than 10,000 sf of GFA, then a buffer yard is not required.			

The small, medium and large buffering as described above shall be applied at the perimeter of properties that abut a different district or zone. The buffer yard is the responsibility of the developing use, and shall be applied as per the matrix below:

District or Zone Where Developing Use is Located*						
Adjoining District or Zo		RL/RM/RA/ OTR	RMC/RMH	CS/OT	CM/CL/ IC	IM/IL
	RL/RM/ RA/OTR		Small	Small	Large	Large
	RMC/ RMH	Small		Small	Medium	Large
	CS/OT	Small	Small		Medium	Large
	CM/CL/ IC	Medium	Medium	Medium		Large
	IM/IL	Large	Large	Large	Large	

- J. Parking Lot Landscaping:
1. Off-Street Parking Islands

a. Within off-street parking lots, a landscaped interior island must be provided every 14 parking spaces and islands must be distributed evenly throughout the parking area.

b. Interior islands may be consolidated, or intervals may be expanded in order to preserve existing trees.

- c. An interior island must be a minimum of 10 feet in width and 180 square feet in area.
  - d. Interior islands must be installed below the level of the parking lot surface to allow for runoff capture.
  - e. All interior islands must contain at least one tree with a minimum diameter of 4 inches.
  - f. Islands are not required to utilize curbs. If desired, roll or stand up curbs may be utilized not exceeding four (4) inches in height.
  - g. Bioswales that include tree plantings may be provided between parking rows in lieu of parking islands so long as 10% of the parking lot is landscaped. Bioswales must contain one shade tree per 40 lineal feet of bioswales.
  - h. For parking lots exclusively serving semi-trucks and trailers, interior islands and any bioswales may be situated along the perimeter of the parking lot; In such instances the islands and bioswales shall be in addition to any applicable buffer requirements herein.
  - i. No landscape interior islands must be included within two rows of parking directly adjacent to a loading dock so that trucks have adequate space to maneuver.
- 2. Perimeter Parking Lot Landscaping
    - a. A minimum 5-foot wide, landscaped area with a continuous row of shrubs must be provided at the perimeter of the parking lot. Shrubs must be a minimum of 18 inches in height when planted and must reach a minimum size of 3 feet in height within 3 years of planting.
    - b. Per 35 feet of lineal feet of planting, a minimum of one (1) tree and three (3) shrubs must be planted.
    - c. The required 5-foot landscaped area may be reduced to 3 feet when a 3-foot high masonry wall, wrought iron or wood picket fence is erected.
    - d. Beyond the 5-foot wide landscaped area, when abutting a major thoroughfare, an additional buffer area 10 feet in width must be given between the parking lot landscaping and the edge of the right-of-way.
    - e. Drive aisles must also have perimeter plantings.
  - 3. Perimeter Parking Garage Landscaping
    - a. A minimum 5-foot wide, landscaped area with a continuous row of trees and shrubs must be provided at the perimeter of the parking garage. Shrubs must be a minimum of 18 inches in height when planted and must reach a minimum size of 3 feet in height within 3 years of planting and trees must have a minimum trunk diameter of 2 1/2 inches at the time of planting. Trees and shrubs shall be planted at the minimum recommended plant spacing by genus.
  - 4. Landscaping Site Constraints
    - a. Where landscaping site constraints exist and there is not sufficient space to provide all landscaping elements, reconfiguration is permitted only if the required number of vegetative units is provided, albeit in a reconfigured format approved by the Technical Review Committee.
7. The structures will comply with the following Commercial and Mixed-use Building Design Standards, unless a variance requests from the standards is filed with the City of Greenwood Board of Zoning Appeals:

### **Building Design Standards**

#### **A. Applicability and Purpose**

- 1. The building design standards herein are intended to promote high-quality, aesthetically consistent, but not homogenous or monotonous, design for the promotion of the durability and longevity of buildings and the preservation of property values in the City.
- 2. The building design standards herein shall apply to all new development, in addition to expansion of an existing structure by an amount greater than or equal to 20% of the gross floor area.

3. Allowed exterior materials are determined by building elevation. Additional design standards specific to certain building elevations and circumstances may also apply as set forth herein.
  4. These standards are in addition to the development standards applicable in each district and zone. Where there is a conflict between the development standards and these building design standards, the building design standards herein shall govern and control.
- B. Commercial and Mixed-use Design Standards: The following table sets forth required design standards for all new structures containing an industrial use, all new additions to structures containing an industrial use, and alterations to the front elevation of structures containing a commercial use:

Commercial and Mixed-use Design Standards	
Feature	Standards
Front Elevation	<ol style="list-style-type: none"> <li>1. Front elevations shall be comprised of any one or any combination of the following materials: stone, brick, fiber cement siding, stucco, wood, engineered wood siding, pre-cast concrete, provided that a minimum of 50% of the front elevation shall be clad in mortared masonry.</li> <li>2. The front elevation shall comply with the minimum transparency requirements of the district or zone in which it is located.</li> <li>3. In any event, pre-cast concrete panels shall not exceed an area more than 50% of the front elevation.</li> <li>4. All columns, pilasters, and pillars on the front elevation shall be clad in stone, brick, or stucco.</li> <li>5. Metal cladding may be permitted on not more than 20% of the front elevation.</li> <li>6. Metal grills and thru-air units are not permitted on the front elevation.</li> <li>7. The front façade must articulate two (2) feet for every 50 feet of façade width,</li> <li>8. Façades visible from a public or private street through a common area, park, or open space shall be treated as a front façade.</li> </ol>
Side Elevations	<ol style="list-style-type: none"> <li>1. Side elevations shall be fully clad in the predominant material of the front elevation.</li> <li>2. Right-of-way facing elevations shall not contain any loading docks or overhead doors unless such overhead doors are used in connection with an eating establishment.</li> </ol>
Rear Elevation	<ol style="list-style-type: none"> <li>1. Rear elevations shall be clad in the same material as the side elevations.</li> <li>2. Rear elevations may contain docks and overhead doors.</li> </ol>
Corner Elevations	<ol style="list-style-type: none"> <li>1. Side elevations facing a street, such as those on a building situated on a corner lot, shall include not less than 30% transparency on the portion of the elevation closest to the street corner.</li> </ol>
Pre-Cast Concrete	<ol style="list-style-type: none"> <li>1. Pre-cast concrete exteriors shall not have a plain, smooth surface.</li> </ol>
Commercial and Mixed-use Design Standards	
Feature	Standards
	<ol style="list-style-type: none"> <li>1. The surface of pre-cast concrete walls shall be textured, veneered, stamped, imprinted, or otherwise finished with architectural designs, details, patterns or materials.</li> </ol>
Parapet Walls	<ol style="list-style-type: none"> <li>1. Parapet walls shall be of the same finish materials as the front elevation directly below the parapet wall and both sides of the wall shall be finished.</li> <li>2. No exposed concrete block shall be permitted on a parapet wall.</li> </ol>
Balconies	<ol style="list-style-type: none"> <li>1. If balconies are included, balconies shall be incorporated into the façade of the structure and shall contain a metal, powder-coated aluminum, or engineered wood railing.</li> <li>2. Natural wood railings shall not be permitted on a balcony.</li> </ol>

8. **Concept Plan:** Development identified as CM in Attachment A shall follow the following development standards: The Commercial Medium Format (“CM”) zone provides for areas of the City devoted to medium-scale businesses located in buildings that will serve small to larger-scale businesses along corridors that are interspersed with commercial and residential uses. The CM zone includes a number of complimentary principal and accessory uses by right and as special exceptions. The following table contains the list of uses that are permitted by right, or by special exception in the CM zone. Standards generally applicable to certain uses and dimensional standards can be found in Division III., “Generally Applicable Standards”. Development standards specific to the CM zone are set forth as follows:

CM STANDARDS	Minimum	Maximum
Lot Size (Sq. Ft.)	20,000	100,000
Lot Width (Ft.)	N/A	N/A
Units per Acre	N/A	N/A
Front Yard Setback (Ft.)	20	80
Side Yard Setback (Ft.)	20: aggregate combined both side yards	N/A
Rear Yard Setback (Ft.)	30	N/A
Building Height (Ft.)	N/A	45
Impervious Lot Coverage (Maximum Percentage of Total Lot Area)	N/A	70
Accessory Building Location	N/A	N/A
Accessory Building Height (Ft.)	N/A	N/A
Parking Location	Side Yard / Rear Yard	
Signage	Division III., Sec. 10-03-08	
Landscaping	Division III., Sec. 10-03-06	
Parking	Division III., Sec. 10-03-02	
Design Standards	Division III., Sec. 10-03-14	
Uses	See Master Use Table	

9. The following engineering concerns shall be addressed during design:
- A. All drainage detention/ runoff rates/ water quality to be per the latest Greenwood Stormwater Technical Manual.
  - B. Guardrails will be required around all detention facilities near roadways and the ends wrapped around the radii as follows:
    - 1. Vehicular traffic shall be protected from bodies of water on both public and private property and from topographic or geologic hazards, including, but not necessarily limited to, streams, lakes, detention ponds, ditches, ravines, rock outcrops, hillsides, or walls by one of the following:
      - a. "W" Beam guardrail to be installed per Indiana Department of Transportation specifications.

- b. Steel Backed Timber Guardrail per U.S. Department of Transportation Federal Highway Administration Federal Lands Highway Office Standards listed in Section 617 of the Federal Highway Administration Website or approved equal as supplied by the Cor-Tenn Company of Knoxville, Tennessee.
- c. Mounding of Dirt at least eight (8) feet in height with maximum slopes of 3:1.
- C. Access Easements (common areas) to be required to all detention facilities from roadways for easy access for future maintenance
- D. Water quality structures are to be within 10' to 15' of hard surface pavement to allow for easier maintenance/ cleaning in the future
- E. Sidewalks/ pathways along all public road frontages shall be constructed in accordance with the following requirements:
  - 1. Sidewalks shall be labeled upon the improvement plans and installed by the developer in subdivisions, as follows:
    - a. Sidewalks shall be installed in all residential subdivisions, according to the following:

Residential Subdivisions	<i>Required on Both Sides of Street</i>	<i>Required in Mid-Block</i>	<i>Required Along Existing St. Bordering Subdivision</i>	<i>Width (Min. Ft. Clear)</i>	<i>Required Grass Strip Between Sidewalk &amp; Curb</i>	<i>Curb Bump-Outs Required</i>
Sidewalks	Yes	In Plan Commission discretion	In Plan Commission discretion	Residential Perimeter: 6 ft. Residential Internal: 5 ft. Commercial & Industrial: 6 ft. Trails: 10 ft. Old Town District Perimeter: 12 ft. Old Town Internal: 8 ft.	Yes	Yes, where on-street parking spaces are provided
or per adopted City master plan for Old Town District sidewalks						

- b. The Plan Commission may waive the requirements of this sub-section in instances where a park, railroad, extreme topographical conditions or other unusual conditions make sidewalk and pathway installation difficult on both sides of the street.
- c. Sidewalks and other pathways identified in the Comprehensive Plan shall take precedent over standard sidewalk widths and specifications. Where identified in the Plan, pathways shall be minimum ten (10) feet in width. The City Engineer may reduce the width of these pathways due to slope, grade, topography, or other restrictions encountered in the field.
- d. All perimeter sidewalks shall be in the right-of-way.
- e. Sidewalks shall connect to all building entrances from the front right-of-way.
- 2. Trail Systems.  
All proposed sections of the subdivision shall provide for trail systems at two levels:
  - a. Internal trail system within the subdivision to link common areas with the public sidewalk system and to link to perimeter or abutting regional trails; and
  - b. Regional trail systems that abut or traverse the subdivision in conformance with the Comprehensive Plan. Although easements across private property may be necessary in some instances, the preferred locations for trails are common areas, public rights-of-way, or easements abutting/paralleling such areas.
  - c. All perimeter trails shall be in the right-of-way.
  - d. If there are existing culverts under either County or City jurisdiction – City has the right to require complete removal and replacement depending upon existing condition.



- e. The City of Greenwood Engineering Division has the right to require additional items at the time of the plan commission process.

10. All commitments shall be addressed on the site plan before the LAP is released;

WHEREAS, the Commission, after paying reasonable regard to: 1) the Greenwood Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, made a **favorable recommendation** (9-0) regarding said changes in the zone map and certified the same to the Greenwood Common Council;

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter; and

WHEREAS, the Greenwood Common Council has considered the recommendation of the Commission and paid reasonable regard to items 1 through 5 referred to above.

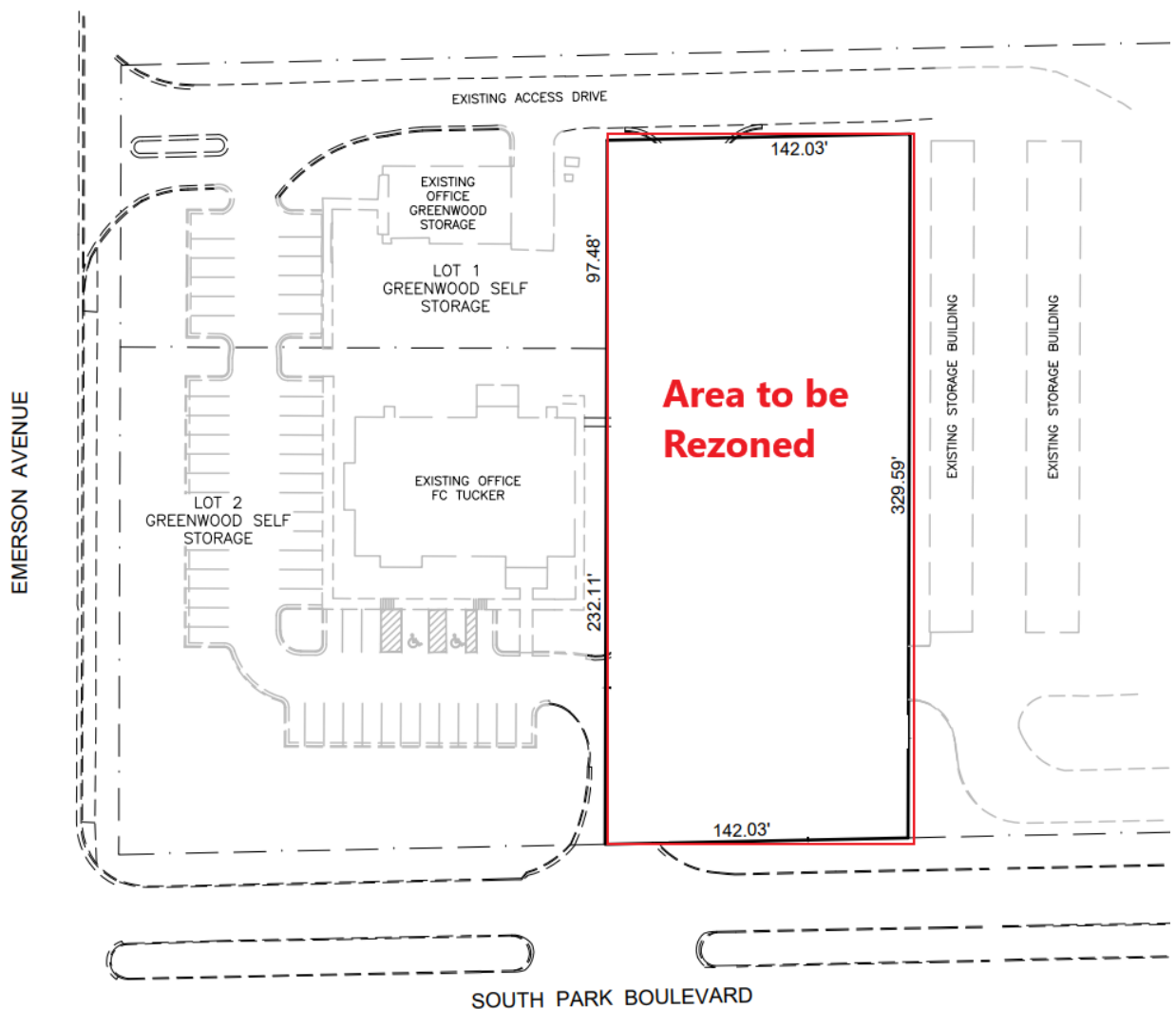
NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. The Official Zoning Map referred to in Ordinance No. 20-29, Section 2, is amended to rezone the real estate described and shown below, from IL – Industrial Large Format to CM – Commercial Medium Format:

A part of Lot Number Two (2) of the Re-Plat of Greenwood Self Storage recorded as Instrument Number 2016-4443, Plat Cabinet “E”, Pages 199 “A” and “B” in the Office of the Johnson County Recorded, located in Pleasant Township, Johnson County, Indiana described as follows:

Beginning at the northeast corner of said Lot Number Two (2); thence South 00 degrees 10 minutes 33 seconds West along the east line of Lot Number Two (2) 329.59 feet to the southeast corner of said Lot also being the north right-of-way of South Park Boulevard; thence South 88 degrees 46 minutes 59 seconds West along said right-of-way and south line of said Lot 142.03 feet; thence North 00 degrees 10 minutes 33 seconds East 232.11 feet; to the southeast corner of Lot Number One (1) of said Greenwood Self Storage; thence North 00 degrees 10 minutes 33 seconds East along the east line of said Lot One (1) and the west line of said Lot Two (2) 97.48 feet to the north line of said Lot Two (2); thence North 88 degrees 46 minutes 59 seconds East along said north line 142.03 feet to the Point of Beginning, containing 1.074 acres (46,797 square feet) more or less.

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Section 2. The real estate shall be developed and used in conformance with the commitments set forth in the second “Whereas clause” above.

Section 3. The Greenwood Plan Commission is hereby authorized to make the above described changes to the official zoning map of the City of Greenwood.

Section 4. This Ordinance shall have no effect as to changing any other provision of Ordinance No. 20-29, as amended, other than the Official Zoning Map referred to in Section 2 of said Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law, and after the above-described commitments are made by the owners and recorded in the chain of title of the above described real estate in the office of the Recorder of Johnson County, Indiana.

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Passed by the Common Council of the City of Greenwood, Indiana, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Michael Campbell, President  
Greenwood Common Council

<u>FOR:</u>		<u>AGAINST:</u>
_____	Linda S. Gibson	_____
_____	Ezra J. Hill	_____
_____	Michael Williams	_____
_____	Ronald Bates	_____
_____	J. David Hopper	_____
_____	David Lekse	_____
_____	Michael Campbell	_____
_____	Bradley Pendleton	_____
_____	Andrew K. Foster	_____

ATTEST:  
  
\_\_\_\_\_  
Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, is presented by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022 , at \_\_\_\_\_ O’Clock \_\_\_\_M., to the Mayor of the City of Greenwood, Indiana.

\_\_\_\_\_  
Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, is signed and approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, at \_\_\_\_\_ O’Clock \_\_\_\_M.

\_\_\_\_\_  
MARK W. MYERS, Mayor of  
the City of Greenwood, Indiana